

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:10CR471 HEA
)
ANTONIO SHAW,)
)
Defendant,)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on the Reports and Recommendations of Magistrate Judge Terry I. Adelman addressing Defendant's Motion to Suppress Searches and Seizures, [Doc. No. 59]. Defendant has filed written objections to Judge Adelman's Report and Recommendation. When a party objects to the magistrate judge's report and recommendation, the Court must conduct a *de novo* review of the portions of the report, findings, or recommendations to which the party objected. See *United States v. Lothridge*, 324 F.3d 599, 600 (8th Cir.2003) (citing 28 U.S.C. § 636(b)(1)). Pursuant to 28 U.S.C. § 636, the Court will therefore conduct such a *de novo* review of those portions of the Report and Recommendation to which Defendant objects. The Court has reviewed the entire record, including the audio recording of the hearing held on July 14, 2011, and the transcript thereof.

Defendant reargues his previously filed bases for the motion to suppress. In his Report, Judge Adelman sets out the factual and legal framework upon which his Recommendation is based. With regard to each incident, Judge Adelman carefully articulates the factual circumstances and how the law applies to those facts. Moreover, Judge Adelman thoroughly addresses Defendant's arguments and details the legal authority for concluding that the Motion should not be granted.

Considering the totality of the circumstances, Judge Adelman's Report and Recommendation properly details the relevant facts and applies the applicable law. Defendant's objections are overruled. The Report and Recommendation is adopted *in toto*.

Accordingly,

IT IS HEREBY ORDERED that the Motion to suppress, [Doc. No.59], is denied.

Dated this 26th day of January, 2012.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE